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Environment Department Settles Air Violations at Waldo Asphalt Plant; 20th Enforcement Action Against Cook Enterprises Since Early 1990s

(Santa Fe, NM) — The New Mexico Environment Department (NMED) has entered into a settlement agreement with Espanola businessman Richard Cook to resolve five air notices of violation (NOVs) at his Associated Asphalt and Espanola Transit Mix concerns. Both are parts of Mr. Cook's Espanola Mercantile Company, a holding company located in Espanola.

As a part of the settlement, Cook has agreed to pay a civil penalty of \$45,813.90, which Cook must pay the State of New Mexico in monthly installments ending in March 2005. These monies will go to the State of New Mexico General Fund where they will be used for state programs including environmental enforcement.

The five NOVs settled by this agreement are the 20th environmental enforcement actions taken against Mr. Cook's business concerns since the early 1990's. These include six compliance orders for air violations taken against five facilities owned and operated by Mr. Cook's Espanola Mercantile Company in 2000-2001, and nine surface water violations assessed at Mr. Cook's northern New Mexico operations since 1992.

"This sort of a record is atrocious," said NMED Secretary Ron Curry. "These repeat offenses are more than disappointing given Mr. Cook's broad business interests in northern New Mexico. I hope these tough, consistent enforcement actions are sending a message to Mr. Cook to clean up his act."

Violations included in the five NOV's settled by this most recent agreement include operating without a permit, violating opacity limits, lacking the proper record keeping and relocating operations without the proper notice.

"Environmental permits and regulations on things like opacity serve a very important purpose," said Secretary Curry. "They are specifically designed to protect the health of local residents and the environment we must all share."

Espanola Mercantile Company operates an asphalt plant and crusher plants in Espanola. They also operate an asphalt plant on Airport Road in Santa Fe and crushers in Waldo, near Cerrillos. These five NOVs all concerned air violations at the Waldo operation.

For further information contact Jon Goldstein, Communications Director, NMED at (505) 827-0314.

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